

REMARKS

This Amendment, filed in reply to the Office Action dated February 8, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

I. Claim Rejections under 35 U.S.C. § 102

Claims 1-9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Camara et al. (U.S. Patent No. 6,373,507).

II. Claim Rejections under 35 U.S.C. § 103

Claims 1 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shigyo (U.S. Patent No. 5,564,012) in view of Camara et al. (U.S. Patent No. 6,373,507).

Applicant amends claim 1 to include the features of pending claim 10 and amends claim 11 into independent form. Applicant submits that the amendment should be entered because the subject matter of claims 10 and 11 were previously pending before the Examiner, and confer patentability on all the claims for the reasons set forth below.

The Examiner correctly concedes that Camara does not disclose that a buffer memory outputs data at a variable rate depending on a data transfer rate of the network. This feature is now recited in the independent claim 1. The Examiner cites the USB specification to make up for the deficiencies of Camara. In particular, the Examiner refers to Section 4.7.2 of the USB specification. However, Section 4.7.2 describes transfers of bulk data files, including that the bulk data transfers take up whatever bandwidth is available and not being used by other transfer types. The bandwidth available is a function of occupancy of the network, but not the data transfer rate of the network. Similarly, the occupancy of the buffer (e.g. the number of files to be transferred) does not vary the rate at which the buffer outputs the data. The buffer can remain at

a constant rate of X bits/sec regardless of whether there is 1Kbytes or 100Kbytes of files to transfer. In other words, the discussion of bandwidth, e.g. network availability due to non-occupancy, does not affect a rate of output. Therefore, Applicant submits that claim 10 is patentable. Claims 2-4 and 12 are patentable based on their dependency. It is noted that the additional reference of Shigyo does not make up for the deficiencies of Camara and the USB Specification.

The Examiner also correctly concedes that Camara does not teach that the buffer memory retransmits image data in the event of data loss during transfer over the network. The Examiner cites the USB Specification, Sections 4.5.1 and 4.5.2 as teaching these features. Section 4.5.1 discloses that protection against transient errors is provided by error protection fields within packets themselves. This additional error encoding does not require retransmission at the buffer side. Section 4.5.1 further states that error recovery can be invoked. However, this also does not necessitate recovery at the buffer memory. Such error recovery can apply to the host side of the USB interface. The use of CRC fields as an error protection field also does not require retransmission of data from the buffer memory.

The Examiner's reliance on Section 4.5.2 is similarly deficient. Section 4.5.2 describes that error handling can be performed in hardware or software, again without specifying that this occurs on the buffer memory side of the transaction. Because Section 4.5.2 specifically mentions that the host controller will retry a transmission three times before informing the client that an error has occurred, it is clear that the retransmission originates from the host controller side, and not the side of the transaction including the buffer memory. The client's role is simply described as a recovery. However, this does not necessitate retransmission by the buffer

memory. The Examiner's reliance on Sections 4.5.1 and 4.5.2 are based purely on speculation, and therefore, cannot support the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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Date: June 8, 2007